

Use of Government Resources



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What Is He Talking About?

- Using the Government's Stuff
- Using the Government's Time
- Official Use vs Authorized Use
- Recurring Issues



Ethical Principles



- Public service is a public trust - #1
- Duty to protect and conserve Government property - #9
- Use and allow use of property for authorized purposes only - #9

This Would be a Misuse of Government Resources!

Air Force Jet Was Used for Drug Run, Authorities Say

A U.S. military pilot and a sergeant were being held on federal narcotics charges after admitting they flew an Air Force jet from New York to Germany and returned with 290,000 pills of Ecstasy worth millions of dollars, authorities said Wednesday.



USA Today, April 14, 2005

Authority to Regulate Use of Government Resources

- **General Services Administration (GSA) & Office of Personnel Management (OPM)**
 - Promulgate regulations for executive branch
- **Office of Government Ethics**
 - No authority to regulate use of resources

The Harmony of Fiscal Law and Ethics

- Remember Fiscal Law 101!
- “Purpose” – can only use funds for purpose Congress intended
- That goes for the “stuff” we buy with those funds!



Duties of Federal Employees

- **Protect and conserve Government property**
- **Use and allow use of property**
 - for public purposes or
 - those purposes authorized by law or regulation



Government Property

- Real or personal property
- Government has an ownership, leasehold, or other property interest
- Any right or other tangible interest (including services of Kr personnel)
- Purchased with Government funds (it always comes back to fiscal law)

Official Time

- Official time is to be used to perform duties of job
- Requirement – “honest effort”
- Authorized uses of official time –
 - Breaks

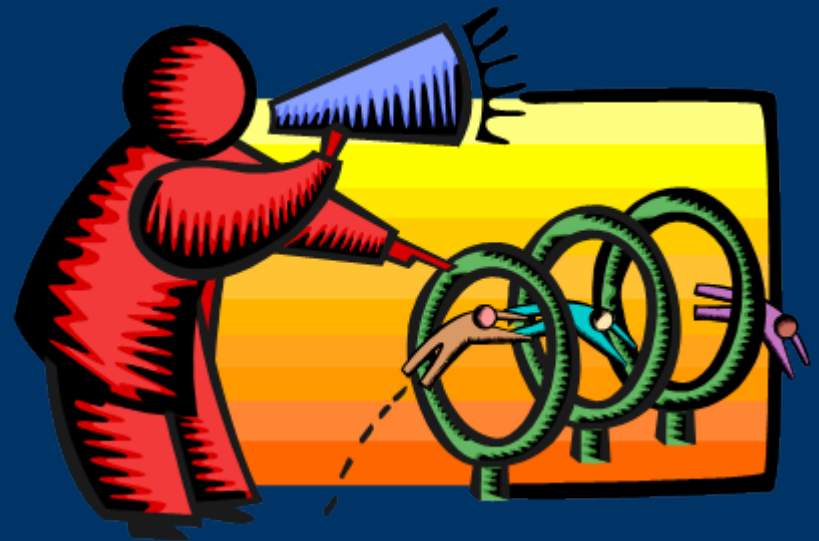


Public Office – Private Gain

- Prohibitions on use of office
 - For private gain
 - Endorsement of product, service, or enterprise
 - For the private gain of
 - friends or relatives
 - Persons with whom employee is affiliated in a nongovernmental capacity
 - Persons with whom employee has or seeks employment

Specific Prohibitions

- Coerce or Induce person to provide benefit
- Imply official endorsement of personal activities
 - Exception – use of title/position when teaching, writing, speaking
- Endorse product, service, or enterprise unless statutorily authorized



Use of Information



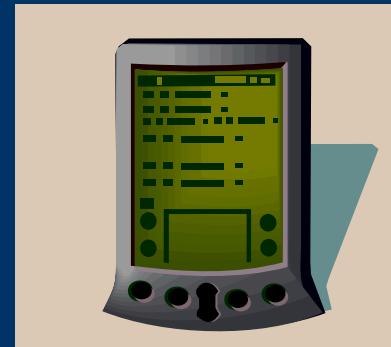
- No insider trading scenarios allowed!
- If you gain nonpublic information thru federal employment – impermissible to use for financial transactions or to further private interests

Use of Subordinates

- Impermissible to encourage, direct, coerce, or request a subordinate to use official time for anything other than official duties or authorized uses
 - Exceptions – military aides, preparation of professional papers (see requirements in JER 3-300b)
- Practically speaking – get your own dry-cleaning!

Communication Systems

- **Government communication systems & equipment are to be used for official use and authorized purposes only**
 - Telephones
 - Fax machines
 - E-mail
 - Internet
 - Cell phones
 - Blackberries



“Official Use”

- Communications deemed necessary in interest of government
- Emergency communications
- Morale and Welfare communications
 - Extended deployments



“Authorized Purposes”

- **Brief calls home while TDY**
 - Transportation and schedule changes
- **Personal communications from office**
 - Don't adversely affect official duties
 - Reasonable duration & frequency
 - Legitimate public interest
 - Don't reflect adversely on DoD
 - **DON'T OVERBURDEN COMMUNICATION SYSTEM**
 - Create no significant additional cost to DoD



Prohibited Uses



- **Pornography**
- **Chain E-mail**
- **Unofficial advertising, soliciting, or selling except on authorized bulletin boards established for such use**
- **Gambling**
- **Inappropriately handled classified information**

Telephones in Residences

- **Government may install telephones in personal residences**
 - National defense purposes
 - Volunteer residences
 - Medical, dental, nursing, or other health-care related services
 - Volunteer services for museum or natural resources program
 - Programs that support service members and families

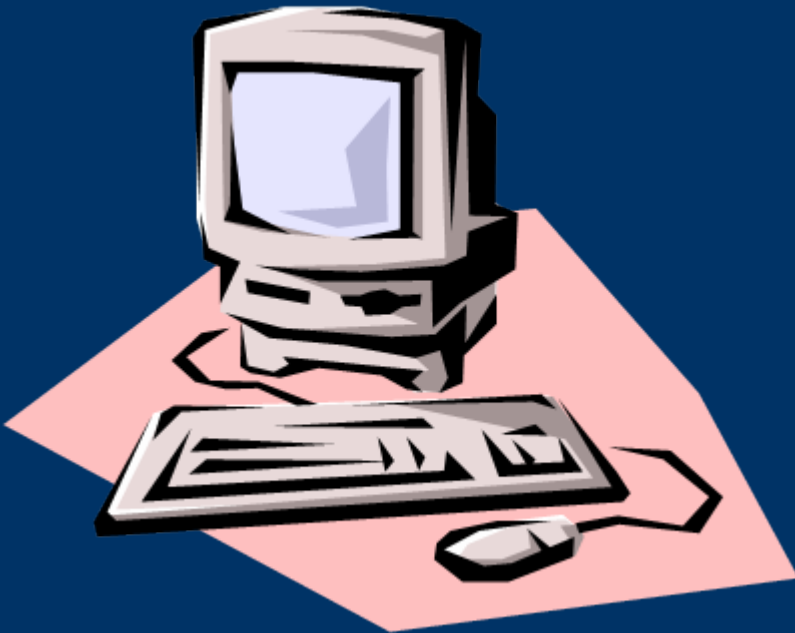




Cell Phones

- Uses may differ from those permitted with land-line phones
- Look to agency's policy
 - Army – official and authorized use
 - AF – use only when most cost-effective way to provide necessary communication
 - Other agencies allow “authorized” uses similar to land-lines
- Policy of issuing agency controls

Email & Internet

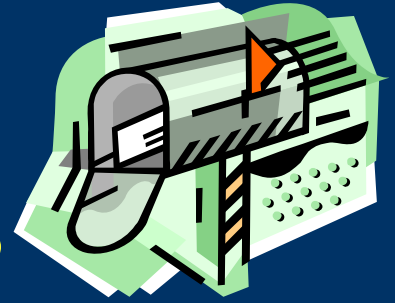


- General rule – use for official purposes
- Don't interfere with official duties or undermine readiness
- Don't overburden the Government's system
- Agency policies – websites in outline

Business Cards

- **DOD Policy: In-house printing of business cards using existing software and commercially purchased card stock is permitted**
- **See outline for service limitations and policies**

Use of Postage for Congratulatory Notes



- Notes written to congratulate members within chain of command or technical chain
 - Official purpose
 - Examples – promotions and school selections
- Notes to friends, former subordinates or colleagues, those not within chain
 - Personal in nature

Use of Other Resources

- **Personal use of government resources permitted**
- **Agency designee determines that use:**
 - Doesn't affect adversely official duties
 - Is of reasonable duration & frequency
 - Occurs only during employee's personal time
 - Serves a legitimate public purpose
 - Doesn't reflect adversely on DoD
 - Creates no significant additional cost to DoD

Enforcement

- **Military members**
 - Violation of rules contained in JER
 - Punishment under UCMJ
- **Civilian Employees**
 - MSPB – misuse of resources taken very seriously
 - No requirement that agency prove intent



Questions?

